

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEVEN PAUL KOZOL,

Petitioner,

v.

RON HAYNES,

Respondent.

CASE NO. 2:22-CV-760-MJP-DWC

ORDER GRANTING EXTENSION
AND AMENDING CASE SCHEDULE

Currently before the Court is Respondent's Third Motion for Extension of Time to file the answer and state court record in this federal habeas action. Dkt. 32. In a sworn declaration, Counsel for Respondent states he requires additional time to prepare and file the answer and state court record because of the complex legal issues and lengthy procedural history involved in this case, competing demands in other habeas actions, and personal scheduling conflicts. *Id.* at 2–3. Counsel for Respondent further states that he spoke with Petitioner's Counsel and Petitioner does not object to this request. *Id.* at 4.

Upon agreement of the parties and for good cause shown, the Court grants the Motion (Dkt. 30) and amends the case schedule (Dkt. 24) as follows:

1 a. Respondent's answer and state court record is due not later than April 23, 2025. The
2 answer must comply with Rule 5 of the Rules Governing Section 2254 Cases in
3 United States District Courts. As part of such answer, Respondent shall state whether
4 Petitioner has exhausted available state remedies and whether an evidentiary hearing
5 is necessary. Respondent shall not file a dispositive motion in place of an answer
6 without first showing cause as to why an answer is inadequate. Respondent shall file
7 the answer with the Clerk of the Court and serve a copy of the answer on Petitioner
8 and his counsel.

9 b. Petitioner's traverse is due not later than May 14, 2025.

10 c. Respondent's optional reply is due not later than May 21, 2025, which will be the
11 noting date for the Petition.

12 Finally, the Clerk of Court is directed to renote the Petition (Dkt. 1) for consideration on
13 May 21, 2025.

14 Dated this 19th day of March, 2025.

15 

16 _____
17 David W. Christel
18 United States Magistrate Judge
19
20
21
22
23
24